

copy of the IDS filed on November 27, 2002 with EP 0805500A1 being initialed, indicating that it has been fully considered and made of record.

Further, the Examiner did not provide any copy of the Information Disclosure Statement filed on March 26, 2003 (courtesy copy with stamped post-card enclosed herein). Accordingly, it is respectfully requested that the Examiner please provide an initialed copy of the IDS filed on March 26, 2003, indicating that each of the 8 references cited therein have been fully considered and made of record.

**REMARKS**

Claims 1-4, 6-10, 13 and 14 stand rejected under 35 U.S.C. § 103 as being unpatentable over Tsuda et al. ('216) in view of Keller et al. and Sugiura et al.. This rejection is respectfully traversed for the following reasons. As a preliminary matter, it is noted that there are two patents to Sugiura et al. on the record ('896 and '084; *see* IDS filed on March 26, 2003) so that clarification as to which the Examiner is relying on is respectfully requested. Further, the Examiner has not formally cited Tsuda et al. on the record, but relies on Tsuda et al. in the body of the rejection under 35 U.S.C. § 103.

In order to clarify this issue, Applicants' representative contacted Examiner Fourson to conduct a telephone interview. Applicants and Applicants' representative would like to thank Examiner Fourson for his courtesy in conducting the interview and for his assistance in resolving issues. During the interview, the Examiner indicated that U.S. patent to Tsuda et al. (USP No. 6,452,216) was inadvertently not formally cited in a PTO-892 form, and was intended to be relied on as the primary reference in the § 103 rejection. The Examiner further clarified that Keller et al. and Sugiura et al. were intended to be

relied on as secondary teaching references for alleging obviousness of the "recited amounts of NH<sub>3</sub> and hydrogen in the cooling atmosphere of the process of Tsuda et al."

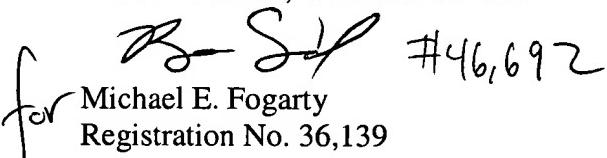
However, it is respectfully submitted that Tsuda et al. is not prior art to the present application. Tsuda et al. has a U.S. filing date of September 11, 2001, whereas the present application has a U.S. filing date of October 10, 2000. Accordingly, it is respectfully requested that the rejection of claims 1-4, 6-10, 13 and 14 under 35 U.S.C. § 103 over Tsuda et al. in view of Keller et al. and Sugiura et al. be withdrawn.

**CONCLUSION**

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,  
MCDERMOTT, WILL & EMERY

  
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**Date: June 10, 2003**

INFORMATION DISCLOSURE CITATION IN AN OIPE APPLICATION			ATTY. DOCKET NO. <b>43890-449</b>	SERIAL NO. <b>09/680,943</b>		
			APPLICANT <b>Hiidenori KAMEI, et al.</b>			
			FILING DATE <b>October 10, 2000</b>	GROUP <b>2815</b> <i>2823</i>		
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
<i>JF</i>	5,891,790	4/6/1999	Keller et al.	/	/	
<i>JF</i>	6,051,847	4/18/2000	Oku et al.	/	/	
<i>JF</i>	5,932,896	8/3/1999	Sugiura et al.	/	/	
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation
						Yes
	EP0805500A1	11/5/1997	Europe			
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
				RECEIVED JUN 1 2003 TECH CENTER 2800		
EXAMINER <i>FOURSON</i>		DATE CONSIDERED <i>4/15/03</i>				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Applicant: Hidenori KAMEI, et al. Docket No. 43890-449  
 Title: P-TYPE NITRIDE SEMICONDUCTOR AND METHOD OF MANUFACTURING THE SAME Serial/Reg./Patent No. 09/680,943  
 Date Sent: 3/26/2003  Hand Carried  Fax  Electronic  Cert. of Mailing  Express Mail No. \_\_\_\_\_  
 Transmittal Letter  
 New Patent App  Utility  Design  Cont.  CIP  Div.  PCT  CPA  RCE  Prov  
 Other: \_\_\_\_\_  
 \_\_\_\_\_ pages of Specification  
 \_\_\_\_\_ pages of Claims  
 \_\_\_\_\_ pages of Abstract  
 \_\_\_\_\_ pages of Formal/Informal Drawings  
 Small Entity  Large Entity  
 Declaration/Power of Attorney  
 Recordation of Assignment/Security Agreement  
 Information Disclosure Statement  
 x \_\_\_\_\_ Form PTO 1449  
 8 \_\_\_\_\_ copies of cited references  
 Preliminary Amendment  
 Response to Missing Parts Notice  
 Resp. to Notice to Correct App. Papers  
 Certified Copy of Priority Doc.  
 Claim for Convention Priority  
 Response/Amendment to Office Action of \_\_\_\_\_  
 Request for \_\_\_\_\_ month Extension of Time


Letter submitting \_\_\_\_\_ pages of drawings  
 Req. for Approval of Drawing Amendments  
 Req. for Oral Hearing  
 Not. of Appeal  Appeal Brief  Reply Brief  
 Rule 312 Amendment/Letter  
 Req. for Acknowledgement of Cited Art  
 Issue Fee  
 Publication Fee  
 Req. for Certificate of Correction  
 Maintenance Fee for \_\_\_\_\_ years after grant  
 Fee Address Indication Form \_\_\_\_\_  
 Terminal Disclaimer  
 Petition to Commissioner  
 Status Inquiry  
 Other

Check for \$	<input type="checkbox"/>	Charge Deposit Acct. 500417 \$	<u>180.00</u>	Atty Init.	<b>MEF</b>	Tkpr. #	<u>3328</u>	Secy. or PL:	MNewman
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CMS Descrip.: (10) IDS \$180.00

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

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JUN 11 2003

TECHNOLOGY CENTER 2800



Docket No.: 43890-449

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Hidenori KAMEI, et al.

Serial No.: 09/680,943

Group Art Unit: 2823

Filed: October 10, 2000

Examiner: G. R. Fourson III

For: P-TYPE NITRIDE SEMICONDUCTOR AND METHOD OF MANUFACTURING THE SAME

**INFORMATION DISCLOSURE STATEMENT**

Hon. Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND before the mailing date of the first Office Action on the merits.

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09/680,943

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: March 26, 2003**

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